

AGENDA

CONNECTICUT BOARD OF EXAMINERS OF EMBALMERS AND FUNERAL DIRECTORS

Tuesday, June 2, 2009 at 9:30 AM

Department of Public Health
410 Capitol Avenue, Hartford, CT
Conference C – Second Floor

CALL TO ORDER

I. MINUTES

Review and approval of the minutes from the April 23, 2009 meeting.

II. CHAIR UPDATES/CORRESPONDENCE

III. DEPARTMENT OF PUBLIC HEALTH UPDATES

- A. Jennifer Filippone, Section Chief, Practitioner Licensing and Investigation
- B. Investigations Update
Gary Griffin, Investigations Supervisor, DPH

IV. NEW BUSINESS

- A. License Reinstatement Review – Bruce Swan, Funeral Director
Presented by Frank Manna, Department of Public Health

V. LEGAL OFFICE BUSINESS

Jeffrey Meyer, Embalmer – Petition No. 2008-0731-030-005
Motion for Summary Suspension – Diane Wilan, Staff Attorney, DPH

ADJOURN

The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.

The **Connecticut Board of Examiners of Embalmers and Funeral Directors** held a meeting on April 23, 2009 at the Department of Public Health Complex, 410 Capitol Avenue, Hartford, Connecticut in Conference Room A/B, Cafeteria Building,

BOARD MEMBERS PRESENT: Daniel P. Jowdy, Embalmer
Gerald Bosak, Jr., Embalmer
James Donohue
Peter Hansen, Embalmer
John B. Sterry, Jr.

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Jeffrey A. Kardys, Board Liaison
Gary Griffin, DPH
Diane Wilan, Staff Attorney, DPH

Mr. Jowdy called the meeting to order at 9:30 a.m.

Mr. Bosak was welcomed to his first meeting as a Board member.

The Board expressed its thanks to Celia Pinzi for her dedicated service to the Board, the Department of Public Health, and the citizens of Connecticut since her appointment as chairperson in July 1995. Ms. Pinzi's term as a Board member ended on April 16, 2009.

I. MINUTES

The minutes from the January 27, 2009 meeting were reviewed. Mr. Hansen made a motion, seconded by Mr. Sterry, to approve the minutes. The motion passed with all in favor except Mr. Bosak who abstained.

II. DEPARTMENT OF PUBLIC HEALTH UPDATES

Proposed Legislation for 2009

Jennifer Filippone, Section Chief, Office of Practitioner Licensing and Investigation, Department of Public Health reported on proposed legislation.

Investigations Update

Gary Griffin, Investigation Supervisor, Department of Public Health reported that there are 8 cases currently in various stages of investigation by the Department. 4 additional cases have been referred to the Department's Legal Office for further review.

III. NEW BUSINESS

A Memoranda of Decision

Michelle Balzano - Petition No. 2005-1209-030-016

Mr. Hansen made a motion, seconded by Mr. Sterry, to adopt the Memorandum of Decision, which suspends respondent's license for a period of 90 days. The motion passed with all in favor except Mr. Bosak who abstained. Mr. Hansen signed the order on behalf of the Board.

SCI Connecticut Funeral Service

d.b.a. Leo Gallagher & Son Funeral Home - Petition No. 2005- 1209-056-021

Mr. Hansen made a motion, seconded by Mr. Jowdy, to adopt the Memorandum of Decision, which imposes a civil penalty of \$25, 000.00 and places the funeral homes license on probation for one year. The motion passed with all in favor except Mr. Bosak who abstained. Mr. Jowdy signed the order on behalf of the Board.

IV. OLD BUSINESS

Hartford Trade Service – Petition No. 2006-0427-056-00

Board Liaison Jeffrey Kardys reported that respondent in this matter has not complied with payment of the civil penalty ordered by the Board.

Mr. Donohue made a motion, seconded by Mr. Sterry, to request that the Office of the Attorney General take action to enforce the \$10,000.00 civil penalty ordered pursuant to the Board's December 2, 2008 Memorandum of Decision. The motion passed with all in favor except Mr. Bosak who abstained.

Colonial Funeral Home – Petition No. 2005-0927-056-015

Paul Moraski – Petition No. 2005-0927-030-013

Board Liaison Jeffrey Kardys reported that the Connecticut Supreme Court heard respondent's appeals. The Supreme Court ruled on April 21, 2009, to uphold the Superior Court decision dismissing respondent's appeals of the Board's September 12, 2006 Memoranda of Decision in these matters.

Mr. Hansen made a motion, seconded by Mr. Sterry, to request that the Office of the Attorney General take action to enforce the \$50,000.00 civil penalty imposed on Colonial Funeral Home. The motion passed with all in favor except Mr. Bosak who abstained. Mr. Jowdy made a motion, seconded by Mr. Sterry to request the Office of the Attorney General to take any necessary steps, in conjunction with the Department of Consumer Protection, to ensure that Mr Moraski and Colonial Funeral Home have complied with Connecticut General Statutes §§ 20-222c and 42-200 regarding any prepaid funeral service contracts that respondents sold to clients. The motion passed unanimously.

V. ADJOURNMENT

Mr. Sterry made a motion, seconded by Mr. Jowdy, to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 10:05 a.m.

Respectfully submitted,

Daniel Jowdy, Chairman
Board of Examiners of Embalmers and Funeral Directors